

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	HON. GARRETT E. BROWN
	:	CHIEF U.S. DISTRICT JUDGE
v.	:	
	:	CRIM. NO. 06-110 (GEB)
	:	
FERNANDO DOVALE	:	

NOTICE OF MOTION

TO: TIMOTHY M. DONOHUE, ESQ.
ARLEO & DONOHUE, L.L.C.
622 EAGLE ROCK AVENUE
WEST ORANGE, NEW JERSEY 07052

PLEASE TAKE NOTICE that on January 4, 2007, at 1:00 p.m., or as soon thereafter as the Court may designate, Christopher J. Christie, United States Attorney for the District of New Jersey (Kevin G. Walsh, Assistant U.S. Attorney, appearing), will request that Chief Judge Garrett E. Brown of the United States District Court for the District of New Jersey, pursuant to Title 18, United States Code, Section 3553, and Section 5K1.1 of the United States Sentencing Guidelines, and based upon defendant Fernando Dovale's substantial assistance to the government in the investigation and prosecution of others, depart downward from the otherwise applicable guideline range when imposing sentence upon defendant.

The United States' reasons for filing this motion are fully set forth in a confidential letter dated December 29, 2006, that has been provided to the Court and counsel for defendant; accordingly, no brief is necessary in support of the motion.

Very truly yours,

CHRISTOPHER J. CHRISTIE
United States Attorney

/s/ Kevin G. Walsh

BY: KEVIN G. WALSH
Assistant U.S. Attorney

Dated: December 29, 2006

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2006, I caused a copy of the foregoing Notice of Motion to be delivered by facsimile (973-736-1712) and mail to Timothy M. Donohue, Esq., Arleo & Donohue, L.L.C., 622 Eagle Rock Avenue, West Orange, New Jersey 07052.

/s/ Kevin G. Walsh
KEVIN G. WALSH
Assistant U.S. Attorney